

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESAL PRICE
LITIGATION

)
) MDL No. 1456
)
)
)
) Judge Patti B. Saris

THIS DOCUMENT RELATES TO
01-CV-12257-PBS and 01-CV-339

TRIAL OF CLASS 2 AND 3 CLAIMS

**MOTION FOR LEAVE TO RE-FILE TRACK 1 DEFENDANTS' MEMORANDUM OF
LAW IN SUPPORT OF POST-TRIAL MOTION FOR JUDGMENT REVISED IN
COMPLIANCE WITH THE COURT'S ORDER DATED FEBRUARY 7, 2007**

Pursuant to this Court's Order dated February 7, 2007, the Track 1 Defendants have today re-filed the Track 1 Defendants' Proposed Findings of Fact in order to comply with the Court's 20-page limit. Defendants respectfully request leave to re-file Track 1 Defendants' Memorandum of Law in Support of Post-Trial Motion for Judgment in order to revise citations to the Findings of Fact. Except for these revised citations, Defendants' Memorandum of Law in Support of Post-Trial Motion for Judgment Revised in Compliance with the Court's Order Dated February 7, 2007 is identical to the version filed on January 19, 2007.

Respectfully submitted,

THE FOLLOWING TRACK 1 DEFENDANTS

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Dated: February 13, 2007

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing was delivered on February 13, 2007 to counsel for plaintiffs and to all counsel of record by electronic service pursuant to Paragraph 11 of Case Management Order No. 2, via LexisNexis File & Serve.

By: /s/ Catherine N. Karuga
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